

REMARKS

Applicants confirm election of Group Ib, without traverse.

Claims 1-3 were rejected under 35 USC § 102(b) as anticipated by Gussefeld et al US 4,134,425 ('425). This rejection is respectfully traversed. Claim 1 has been amended. For a prior art reference to anticipate a set of claims, each and every limitation of the claims must be disclosed in that reference. *Glaxo v. Novopharm*, 34 USPQ2d 1565 (Fed. Cir. 1995). The '425 reference does not disclose a covering means comprising a rotatable disc having an axis of rotation parallel to and excentric with respect to the central longitudinal axis of the catalyst bed, which disc has a radius which is larger than the sum of the radius of the catalyst bed and the distance between the longitudinal axis of the catalyst bed and the axis of rotation of the discs, and which disc has at least one opening excentric to the axis of rotation. Therefore, Applicants believe that the reference does not anticipate the claims and respectfully request that the rejection be withdrawn.

Claims 12 was rejected under 35 USC § 103(a), as obvious over the '425 reference in view of Stähle US 4,225,111 ('111). This rejection is respectfully traversed.

To establish a *prima facie* basis for obviousness, three criteria must be met. First, there must be some suggestion or motivation, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the reference. Second, there must be a reasonable expectation of success. Finally, the prior art reference must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination must be found in the prior art, and not based on applicant's disclosure [MPEP § 2142; *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).]

The '111 reference is directed to a solenoid valve and is concerned with sealing. The '425 reference and the instant invention are not directed towards valves. As specified in Claim 12 and as may be seen in Figures 6a and 6b, the flexible wall of the instant application partly covers the upstream surface rather than sealing it off. There is no suggestion or teaching in the combination of the references by which to arrive at the instant invention. In view of the above amendments and discussion, Applicants believe that a *prima facie* basis for obviousness has not been established and respectfully request that the rejection be withdrawn.

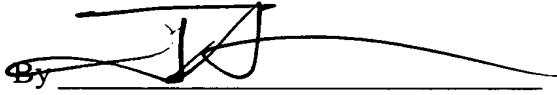
Claims 10 and 11 have been indicated as allowable but were objected to as depending on a rejected claim. The limitations of Claim 10 have been incorporated into Claim 1 and Claim 10 has been cancelled. Claim 11 now depends on Claim 1.

CONCLUSION

In view of the above amendments and remarks, Applicants believe the instant application to be in condition for allowance and respectfully request that such action be taken.

Respectfully submitted,

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